

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Vickie Danson Bradley,

Plaintiff,

v.

Household International, Inc.,

Defendant.

C/A No. 8:04-21818-GRA-BHH

ORDER

[Written Opinion]

This matter is before the Court for a review of the magistrate's Report and Recommendation made in accordance with 28 U.S.C. § 636(b)(1)(A) and Local Rule 73.02(B)(2)(g), D.S.C., and filed June 13, 2005. The magistrate recommended the defendants' motion for summary judgment be granted on the hostile work environment claim and denied on the retaliation claim. For the reasons stated herein, the magistrate's Report and Recommendation is hereby adopted.

Procedural History

Plaintiff filed suit against Defendant in the Court of Common Pleas of Anderson County, South Carolina on March 30, 2004. Defendant removed the case to the United States District Court for the District of South Carolina on August 9, 2004. Defendant filed a motion for summary judgment on all claims on April 1, 2005.

Discussion

The magistrate makes only a recommendation to this Court. The

recommendation has no presumptive weight, and responsibility for making a final determination remains with this Court. *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). This Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and this Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). This Court may also "receive further evidence or recommit the matter to the magistrate with instructions." *Id.* In the absence of specific objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. *Camby v. Davis*, 718 F.2d 198 (4th Cir. 1983). Defendant filed objections to the Report and Recommendation on June 30, 2004. Plaintiff filed a Response to Defendant's objections on July 13, 2005.

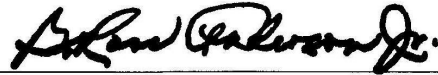
Defendant's specific objection to the Report and Recommendation is that the magistrate erred in recommending Plaintiff's retaliation claim not be dismissed because of the existence of genuine issues of material fact.

After a review of Defendant's objections, Plaintiff's Response, and the magistrate's Report and Recommendation, this Court finds that the report is based upon the proper law. Accordingly, the Report and Recommendation is accepted and adopted in its entirety.

IT IS THEREFORE ORDERED that the magistrate's Report and Recommendation is accepted and adopted as the Order of this Court. Accordingly,

Defendant's motion for summary judgment is DENIED as to Plaintiff's retaliation claim and GRANTED as to Plaintiff's hostile work environment claim.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.
UNITED STATES DISTRICT JUDGE

Anderson, South Carolina

July 18, 2005.

NOTICE OF RIGHT TO APPEAL

Plaintiff has the right to appeal this Order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, will waive the right to appeal.